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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313
on 17 June 2004

Date of Deposit

K. Shannon Mrksich, Reg. No. 36,675

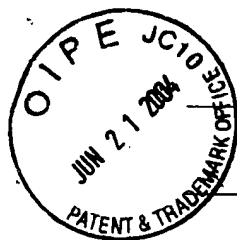
Name of applicant, assignee or
Registered Representative

S. Mrksich

Signature

6/17/04

Date of Signature



Case No. 10466/127

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Baker et al.

Serial No.: 09/943,664

Filed: 8/30/01

For: Secreted and
transmembrane
Polypeptides and
Nucleic Acids Encoding
the Same

Examiner: O'Hara

Group Art Unit: 1646

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated March 17, 2004 of the Examiner finally rejecting Claims 25-36.

The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection was granted on _____ for _____ month(s).
2. ☒ A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. ☒ Fee \$330.00 Other than a Small Entity
☒ Enclosed
☐ Not required (Fee paid in prior appeal)
☐ Charge to Deposit Account No. 23-1925 (One additional copy of this Notice enclosed herewith)
☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
4. ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: 17 June 2004

S. Mrksich
K. Shannon Mrksich
Registration No. 36,675
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610
(312)321-4200



AF/IFW
1646/B

BRINKS
HOFER
GILSON
& LIONE

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
Date: 17 June 2004 Name: K. Shannon Mrksich, Reg. No. 36,675 Signature: S. Mrksich

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Baker et al.

Appln. No.: 09/943,664

Filed: 8/30/01

For: SECRETED AND TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC ACIDS
ENCODING THE SAME

Examiner: O'Hara

Art Unit: 1646

Attorney Docket No: 10466/127

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Notice of Appeal From The Examiner To The Board Of Patent Appeals And Interferences
☒ Return Receipt Postcard

Fee calculation:

- ☐ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$		Total	\$

Fee payment:

- ☒ A check in the amount of \$330.00 is enclosed.
☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____ . A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

6/17/04

S. Mrksich
K. Shannon Mrksich (Reg. No. 36,675)